IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

Bail Appl..No. 1766 of 2007()

CP.72/2006 of J.M.F.C.,THALASSERY
CRIME NO.284/04 OF THALASSERY POLICE STATION

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: PETITIONER/ACCUSED

P.P.ASEENA, W/O. MUNEER, AGED 27 YEARS,
RESIDING AT PUTHIYAPURAYIL HOUSE,
THALASSERI TALUK, KANNUR DISTRICT.

BY ADV. SRI.P.P.RAMACHANDRAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, (S.H.O., THALASSERY
POLICE STATION), REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1766 OF 2007 A

Dated this the 23rd day of March, 2007

O R D E R

Petitioner, a lady, who is the accused in Crime No.284/04 of Thalassery Police Station for an offence punishable under section 55(a) of the Abkari Act for allegedly having been found in possession of 239 bottles of IMFL on 1.4.2004, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P.No.72/2006 on the file of the JFCM, Thalassery, non-bailable warrants of arrest are pending against her. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the committal court and seek regular bail. Accordingly, if the petitioner surrenders before the committal court and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for her previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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